

REMARKS

Claims 1 and 27-62 are pending in the application. The Applicants have amended Claims 1 and 56-62 to particularly point out and distinctly claim the subject matter that the Applicants regard as their invention. Support for the present amendments is found throughout the specification and claims as originally filed, and specifically in Examples 12 and 20 of the present disclosure. No new matter has been added and no additional claims fees are believed to be due. The Applicants believe that the present amendments have placed the present application in condition for allowance. Accordingly, favorable and timely action is respectfully requested.

Rejection under 35 USC § 112, 2nd ¶

The Examiner has rejected Claim 58 under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Applicants wish to direct the Examiner's attention to the "Amendments" section of the instant paper, in which the Applicants have amended claim 58 to excise the rejected subject matter. Reconsideration and withdrawal of the rejection to claim 58 under 35 USC § 112, second paragraph are therefore respectfully requested.

Rejection under 35 USC § 103(a) over Oxenboll in view of Van Pee

The Examiner has rejected Claims 1, 27-49 and 54-62 under 35 USC § 103(a) as allegedly obvious over US Patent Number 5,834,280 to Oxenboll et al (hereinafter "Oxenboll") in view of WO Patent Number 96/06909 to Van Pee (hereinafter "Van Pee"). The Examiner's rejection is respectfully traversed.

The Examiner asserts that Oxenboll teaches detergent compositions comprising enzymes such as oxidoreductase and Van Pee teaches a bleaching, washing, and cleaning composition comprising an oxidoreductase with an α/β -hydrolase (See Paper No. 12; page 2). However, the disclosure of Oxenboll clearly indicates that the incorporation of an oxidoreductase enzyme therein is explicitly limited to baking applications. Specifically, the portion of the Oxenboll disclosure to which the Examiner makes reference as allegedly providing basis for the present rejection, is entitled "Baking industry / Additional Enzyme Activities" (See Oxenboll, col. 25-26; See also Paper No. 12; page 2). The subject section further discloses, "the additional enzyme(s) may either be one or more enzymes present in the glucose oxidase preparation recovered from the organism producing, or may, more preferably, be added to the bread-improving composition or additive" Emphasis Added; See Oxenboll, col. 25-26. It is clear then, that Oxenboll's disclosure of an oxidoreductase enzyme is explicitly intended for incorporation into bread-improving compositions for baking applications, only. Contrary to the Examiner's assertion, there exists neither an expectation of success nor a motivation for a person of ordinary skill in the art to incorporate a bread-improving additive into a bleaching composition.

Motivation to engage in the proposed combination is further removed by virtue of the fact that Van Pee, with which the Examiner has attempted to combine Oxenboll, clearly indicates that the desired pH for the oxidoreductase-containing compositions disclosed therein, is between 3.0 to 6.0. Moreover, the highest pH of any oxidoreductase-containing composition disclosed by Van Pee is 6.8. Conversely, Oxenboll discloses that the pH of the subject compositions disclosed therein is in the range of 7 to 11 (See Oxenboll; col. 28). Finally, and quite compelling, the oxidoreductase-containing compositions of the present invention possess a pH of from 7 to 12. To further underscore their point, the Applicants have amended Claims 1, 56, 57, 58, 59, 60, 61 and 62, from which the balance of the pending claims ultimately depend, to limit the claimed subject matter to oxidoreductase-containing compositions having a pH of from 7.5 to 12.7. Support for the claimed pH range is found in Examples 12 and 20 of the present disclosure. In light of the present amendments, the Applicants respectfully submit to the Examiner that Oxenboll in view of Van Pee fails to teach or suggest an oxidoreductase-containing cleaning composition, comprising a pH of from 7.5 to 12.7. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection to Claims 1, 27-49 and 54-62 under 35 USC § 103(a).

Rejection under 35 USC § 103(a) over Van Pee in view of Figueroa

The Examiner has rejected claims 1, 27-55, 57 and 61 under 35 USC § 103(a) as allegedly obvious over Van Pee in view of US Patent Number 5,500,153 to Figueroa et al (hereinafter "Figueroa"). The Examiner's rejection is respectfully traversed.

The Examiner has asserted that Van Pee teaches a cleaning composition comprising a pH of 6.8, "...which is about 7, and hence, the pH range is inside the optimal pH range of the claimed enzymes..." and Figueroa teaches a detergent compositions that comprise enzymes of any origin (See Paper No. 12; page 3). The Applicants wish to direct the Examiner's attention to the "Amendments" section of the instant paper, in which the Applicants have amended Claims 1, 56, 57, 58, 59, 60, 61 and 62, from which the balance of the pending claims ultimately depend, to underscore that the present oxidoreductase-containing compositions comprise a pH of from 7.5 to 12.7, which is clearly outside of the range disclosed by Van Pee. The Applicants submit and urge that the pH of the claimed compositions is unequivocal evidence that the enzymes disclosed herein are different from those disclosed by Van Pee, and thus, exhibit their optimal activity in a higher pH environment. Accordingly, reconsideration and withdrawal of the rejection to claims 1, 27-55, 57 and 61 under 35 USC § 103(a) are therefore respectfully requested.

CONCLUSION

Attached hereto at the conclusion of this communication is a "Version With Markings To Indicate Changes Made." Applicants have made an earnest effort to place the present claims in condition for allowance. WHEREFORE, entry of the amendments provided herewith, reconsideration of the claims as amended in light of the Remarks provided, withdrawal of the claims rejections, and allowance of Claims 1 and 27-62, as amended, are respectfully requested. In the event that issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicants' undersigned attorney to discuss any remaining issues.

Respectfully submitted,

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VERSION WITH MARKINGS TO INDICATE CHANGES MADE

1. (Once Amended) A cleaning composition comprising:
 - e) a surfactant system,
 - f) an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid,
 - g) a hydrogen peroxide source, and
 - h) an organic acid

wherein said composition comprises a pH of from 7.5 to 12.7.

56. (Once Amended) A fabric softening composition comprising:
 - e) a surfactant system comprising a cationic surfactant comprising two long chain lengths,
 - f) an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid,
 - g) a hydrogen peroxide source and
 - h) an organic acid

wherein said composition comprises a pH of from 7.5 to 12.7.

57. (Once Amended) A method of cleaning comprising the step of contacting a fabric with a cleaning composition comprising a surfactant system, an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid, a hydrogen peroxide source and an organic acid, for fabric cleaning and/or fabric stain removal and/or fabric whiteness maintenance and/or fabric softening and/or fabric colour appearance and/or fabric dye transfer inhibition
wherein said composition comprises a pH of from 7.5 to 12.7.

58. (Twice Amended) A method of cleaning comprising the step of contacting a hard surface ~~such as a floor, a wall and a bathroom tile~~, with a cleaning composition comprising a surfactant system, an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid, a hydrogen peroxide source and an organic acid
wherein said composition comprises a pH of from 7.5 to 12.7.

59. (Once Amended) A method of cleaning comprising the step of contacting a dishware with a cleaning composition comprising a surfactant system, an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid, a hydrogen peroxide source and an organic acid
wherein said composition comprises a pH of from 7.5 to 12.7.

60. (Once Amended) A method of cleaning teeth and/or mouth comprising the administration of a cleaning composition comprising a surfactant system, an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid, a hydrogen peroxide source and an organic acid
wherein said composition comprises a pH of from 7.5 to 12.7.

61. (Once Amended) A method of sanitisation comprising the step of contacting a fabric, a hard surface or a dishware with a cleaning composition comprising a surfactant system, an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid, a hydrogen peroxide source and an organic acid
wherein said composition comprises a pH of from 7.5 to 12.7.

62. (Once Amended) A method of sanitisation of teeth and/or mouth comprising the administration of a cleaning composition comprising a surfactant system, an oxidoreductase with an α/β -hydrolase fold and a catalytic triad consisting of the amino acid residues serine, histidine and aspartic acid, a hydrogen peroxide source and an organic acid
wherein said composition comprises a pH of from 7.5 to 12.7.